		REPORT ON THE
Director of the U.	Mail Stop 8 S. Patent and Trademark Of	I
	P.O. Box 1450	ACTION REGARDING A PATENT OR
Alexar	ndria, VA 22313-1450	TRADEMARK SACVII-01309-DOC
In Compliano	e with 35 U.S.C. § 290 and/or 15	5 U.S.C. § 1116 you are hereby advised that a court action has been
	istrict Court Central Dis	
OCKET NO.	DATE FILED	IU.S. DISTRICT COURT
ACV /1- 013 09 80 C		Central District of California
	LL DENTAL CERAMICS,	
DBA GLIDEWELL LAI		California corporation
California corpo	ration	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 3,739,663	01-19-2010	James R. Glidewell Dental Ceramics, Inc. dba Glidewell Laboratories
2	VI 2, 4010	Gildewell Laboratories
3	3785 T	
4	1000	
5		
	1	
In the abo	we_entitled case the following n	r natent(s)/ trademark(s) have been included:
12 - 12 - 12 - 12 - 12 - 12 - 12 - 12 -	ove—entitled case, the following p	g patent(s)/ trademark(s) have been included:
8 - 12 - 12 - 12 - 12 - 12 - 12 - 12 - 1	INCLUDED BY	patent(s)/ trademark(s) have been included: nendment
DATE INCLUDED PATENT OR	INCLUDED BY Ame DATE OF PATENT	
DATE INCLUDED PATENT OR TRADEMARK NO.	INCLUDED BY	mendment Answer Cross Bill Other Pleading
DATE INCLUDED PATENT OR	INCLUDED BY Ame DATE OF PATENT	mendment Answer Cross Bill Other Pleading
DATE INCLUDED PATENT OR TRADEMARK NO.	INCLUDED BY Ame DATE OF PATENT	mendment Answer Cross Bill Other Pleading
PATENT OR TRADEMARK NO.	INCLUDED BY Ame DATE OF PATENT	mendment Answer Cross Bill Other Pleading
PATENT OR TRADEMARK NO. 1	INCLUDED BY Ame DATE OF PATENT	mendment Answer Cross Bill Other Pleading
PATENT OR TRADEMARK NO. 1 2	INCLUDED BY Ame DATE OF PATENT	mendment Answer Cross Bill Other Pleading
PATENT OR TRADEMARK NO. 1 2 3	INCLUDED BY Ame DATE OF PATENT	mendment Answer Cross Bill Other Pleading
PATENT OR TRADEMARK NO. 1 2 3 4	INCLUDED BY DATE OF PATENT OR TRADEMARK	mendment Answer Cross Bill Other Pleading

Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

(BY) DEPUTY CLERK

CLERK

DATE

ase 8:11-cv-01309	-DOC -AN Docume	nt-3 F	Filed:08/30/11 Page 1 of 1 Page ID #:1
O: Director of the U.	Mail Stop 8 S. Patent and Trademark P.O. Box 1450 ndria, VA 22313-1450	Office	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK SACVII-01309-DOC(AN)
·	ce with 35 U.S.C. § 290 and/or istrict Court Central Di		1116 you are hereby advised that a court action has been
DOCKET NO.	DATE FILED 8-30-2011	U.S. D	ISTRICT COURT tral District of California
PLAINTIFF JAMES R. GLIDEWEI DBA GLIDEWELL LAI California corpo	LL DENTAL CERAMICS BORATORIES, a		DEFENDANT KEATING DENTAL ARTS, INC., a California corporation
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK		HOLDER OF PATENT OR TRADEMARK
1 3,739,663	01-19-2010	Jame Gli	es R. Glidewell Dental Ceramics, Inc. dba dewell Laboratories
2			
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4			
5			
In the abo	INCLUDED BY	g patent(s)/	trademark(s) have been included: Answer Cross Bill Other Pleading
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK		HOLDER OF PATENT OR TRADEMARK
1 IRADEMARK NO.	OR TRADEMARK		
2			
3			
4			
5			
In the ab	ove—entitled case, the following	ng decision	has been rendered or judgement issued:
CLERK		BY) DEPU	TY CLERK DATE

Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy



Reg. No. 3,739,663 JAMES R. GLIDEWELL, DENTAL CERAMIC, INC. (CALIFORNIA CORPORATION), DBA Registered Jan. 19, 2010 GLIDEWELL LABORATORIES

PROFESSIONAL SERVICES

4141 MACARTHUR BLVD. Int. Cl.: 10 NEWPORT BEACH, CA 92660

PRINCIPAL REGISTER

TRADEMARK ONLAYS; DENTAL BRIDGES, DENTAL CAPS; DENTAL CROWNS; DENTAL INLAYS, DENTAL PROSTHESES, IN CLASS 10 (U.S. CLS. 26, 39 AND 44).

FIRST USE 6-6-2009; IN COMMERCE 6-6-2009.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-TICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 77-761,757, FILED 6-17-2009.

KEVIN CORWIN, EXAMINING ATTORNEY



Director of the United States Patent and Trademark Office

From: TMOfficialNotices@USPTO.GOV
Sent: Tuesday, November 3, 2009 01:24 AM

To: kallred@glidewelldental.com

Subject: Official USPTO Notice of Publication: Serial Number 77761757

NOTICE OF PUBLICATION

Serial Number: 77-761,757

Mark: BRUXZIR(STANDARD CHARACTER MARK)

International Class(es): 010

Applicant: James R. Glidewell, Dental Ceramic, Inc.

Attorney Reference Number:

The mark identified above has been published in the *Trademark Official Gazette* (OG) on Nov 03, 2009. Any party who believes it will be damaged by the registration of the mark may file a notice of opposition (or extension of time therefor) with the Trademark Trial and Appeal Board. If no party files an opposition or extension request within thirty (30) days after the publication date, then within twelve (12) weeks of the publication date a certificate of registration should issue.

On the publication date or shortly thereafter, the applicant should carefully review the information that appears in the OG for accuracy (see steps, *below*). If any information is incorrect, the applicant should immediately email the requested correction to **TMPostPubQuery@uspto.gov**. For general information about this notice, please contact the Trademark Assistance Center at 1-800-786-9199.

- 1. Click on the following link or paste the URL into an internet browser: http://www.uspto.gov/web/trademarks/tmog/20091103_OG.pdf#page=1
- 2. Wait for the total OG to download completely (as indicated on bottom of OG page).
- 3. At the top/side of the displayed page, click wherever the "binoculars" icon appears.
- **4.** Enter in the "search" box the name of the applicant (for individual: last name, first name) or the serial number in this exact format (with hyphen and comma): 77-761,757, e.g.
- **5.** View the retrieved result(s). If multiple results appear in the "results" box, click directly on each "search term" shown in the box to access all separate appearances in the OG.

		Table pres	ents the data on Pub	ntion & Issue Rev lication & Issue Reviev	v Complete)	
			OVE	RVIEW		
SERIAL NUMBER			77761757	FILING DATE		06/17/2009
REG NUMBER			0000000	REG DATE		N/A
REGISTER			PRINCIPAL	MARK TYPE		TRADEMARK
NTL REG #			N/A	INTL REG DATE		N/A
TM ATTORNEY		CORW	IN, KEVIN SCOTT	L.O. ASSIGNED		112
			PUB INFO	RMATION		
RUN DATE 09/30/2009						
PUB DATE		11/03/20	09			
STATUS		681-PUB	LICATION/ISSUE RE	EVIEW COMPLETE		
STATUS DATE		09/29/20	09			
LITERAL MARK ELE	EMENT	BRUXZIF	₹			
DATE ABANDONED)		N/A	DATE CANCELLED		N/A
SECTION 2F		NO		SECTION 2F IN PART		NO
SECTION 8			NO	SECTION 8 IN PART		NO
SECTION 15			NO	REPUB 12C		N/A
RENEWAL FILED			NO	RENEWAL DATE		N/A
DATE AMEND REG			N/A			
			FILIN	G BASIS		
FILED I	BASIS		CURRE	NT BASIS	F	AMENDED BASIS
1 (a)	YE	S	1 (a)	YES	1 (a)	NC
1 (b)	N	0	1 (b)	NO	1 (b)	NC
44D	N	0	44D	NO	44D	NC
44E	N	0	44E	NO	44E	NC
66A	N	0	66A	NO		
NO BASIS	N	0	NO BASIS	NO		
			MARI	K DATA		
STANDARD CHARA	ACTER MA	RK		YES		
				BRUXZIR		

MARK DRAWING CODE	4-STANDARD CHARACTER MARK				
COLOR DRAWING FLAG	NO				
CURRENT OWNER INFORMATION					
PARTY TYPE	10-ORIGINAL APPLICANT				
NAME	James R. Glidewell, Dental Ceramic, Inc.				
ADDRESS	Professional Services 4141 MacArthur Blvd. Newport Beach, CA 92660				
ENTITY	03-CORPORATION				
CITIZENSHIP	California				
DBA/AKA	DBA Glidewell Laboratories				
GOODS AND SERVICES					
INTERNATIONAL CLASS	010				
DESCRIPTION TEXT	Dental bridges; Dental caps; Dental crowns; Dental inlays; Dental onlays; Dental prostheses				

	G	OODS ANI) SERVICE	S CLASSIFI	CATION		
INTERNATIONAL CLASS	010	FIRST USE DATE	06/06/2009	FIRST USE IN COMMERCE DATE	06/06/2009	CLASS STATUS	6-ACTIVE

MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION NO

PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
09/29/2009	PREV	0	LAW OFFICE PUBLICATION REVIEW COMPLETED	006
09/29/2009	ALIE	Α	ASSIGNED TO LIE	005
09/17/2009	CNSA	0	APPROVED FOR PUB - PRINCIPAL REGISTER	004
09/16/2009	DOCK	D	ASSIGNED TO EXAMINER	003
06/22/2009	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
06/20/2009	NWAP	ı	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Keith D. Allred, Esq.
CORRESPONDENCE ADDRESS	KEITH D. ALLRED, ESQ. KEITH D. ALLRED, GENERAL COUNSEL 4141 MACARTHUR BLVD NEWPORT BEACH, CA 92660-2015
DOMESTIC REPRESENTATIVE	NONE

		Tradic (Ta	able presents the data	t Publication Styl on Publication Appro	val)	
			OVE	RVIEW		
SERIAL NUMBER			77761757	FILING DATE		06/17/2009
REG NUMBER		0000000		REG DATE		N/A
REGISTER			PRINCIPAL	MARK TYPE		TRADEMARK
INTL REG#			N/A	INTL REG DATE		N/A
TM ATTORNEY		CORW	IN, KEVIN SCOTT	L.O. ASSIGNED		112
			PUB INFO	PRMATION		
RUN DATE		09/18/20	09			
PUB DATE		N/A				
STATUS		680-APP	ROVED FOR PUBLI	CATON		
STATUS DATE		09/17/20	09			
LITERAL MARK ELE	EMENT	BRUXZIF	₹			
DATE ABANDONED)		N/A	DATE CANCELLED		N/A
SECTION 2F			NO	SECTION 2F IN PART		NO
SECTION 8			NO	SECTION 8 IN PART		NO
SECTION 15			NO	REPUB 12C		N/A
RENEWAL FILED			NO	RENEWAL DATE		N/A
DATE AMEND REG			N/A			
			FILING	G BASIS		
FILED	BASIS		CURRE	NT BASIS	А	MENDED BASIS
1 (a)	YE	S	1 (a)	YES	1 (a)	NC
1 (b)	N	0	1 (b)	NO	1 (b)	NC
44D	N	0	44D	NO	44D	NC
44E	N	0	44E	NO	44E	NC
66A	N	0	66A	NO		
NO BASIS	NO I		NO BASIS	NO		
			MARI	K DATA		
STANDARD CHARA	ACTER MA	RK		YES		
LITERAL MARK ELE	EMENT			BRUXZIR		

001.00.00.00.00.00.00			-					
COLOR DRAWING F	-LAG			NO				
		CURREN	NT OWNEI	R INFORMA	TION			
PARTY TYPE				10-ORIGINAL AF				
NAME				James R. Glidew	ell, Dental Cera	amic, Inc.		
ADDRESS			Professional Services 4141 MacArthur Blvd. Newport Beach, CA 92660					
ENTITY				03-CORPORATION				
CITIZENSHIP				California				
DBA/AKA				DBA Glidewell Laboratories				
		GO	OODS AND	SERVICES				
INTERNATIONAL CL	_ASS			010				
DESCRIPTION	N TEXT		Dental bridges; Dental caps; Dental crowns; Dental inlays; Dental onlays; Dental prostheses					
		GOODS ANI	SERVICE	ES CLASSIFI	CATION			
INTERNATIONAL	010	FIRST USE	06/06/2009	FIRST USE	06/06/2009	CLASS	6-ACTIVE	

	G	OODS ANI) SERVICE	S CLASSIFI	CATION		
INTERNATIONAL CLASS	010	FIRST USE DATE	06/06/2009	FIRST USE IN COMMERCE DATE	06/06/2009	CLASS STATUS	6-ACTIVE

MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION NO

PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
09/17/2009	CNSA	0	APPROVED FOR PUB - PRINCIPAL REGISTER	004
09/16/2009	DOCK	D	ASSIGNED TO EXAMINER	003
06/22/2009	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
06/20/2009	NWAP	ı	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Keith D. Allred, Esq.
CORRESPONDENCE ADDRESS	KEITH D. ALLRED, ESQ. KEITH D. ALLRED, GENERAL COUNSEL

	4141 MACARTHUR BLVD NEWPORT BEACH, CA 92660-2015	
DOMESTIC REPRESENTATIVE	NONE	

***	User:kcorwin	***
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#	Total	Dead	Live	Live	Status/	Search
	Marks	Marks	Viewed	Viewed	Search	
			Docs	Images	Duration	
01	22	7	15	13	0:02	("james" and "glidewell")[on] or ("dental" and "ceramic")[on]
02	1	0	1	1	0:01	*bru{"xckq"}\$1{"zsc"}{"iye"}r*[bi,ti]
03	5	3	2	2	0:01	*br{v1:2} {"xckq"}\$1 {"zsc"} {"iye"}r*[bi,ti]
04	7308	N/A	0	0	0:03	*br{v1:2} {"xckq"} *[bi,ti] not dead[ld]
05	46192	N/A	0	0	0:05	*{"zsc"} {"iye"}r*[bi,ti] not dead[ld]
06	192	0	192	154	0:01	4 and 5
07	1729	N/A	0	0	0:03	4 and "010"[cc]
08	2263	N/A	0	0	0:01	4 and ("010" a b 200)[cc]
09	188	0	188	133	0:02	4 and ("010" a b 200)[ic]
10	178	0	178	126	0:01	9 not 6
11	13	0	13	9	0:03	*brux*[bi,ti] not dead[ld]

Session started 9/17/2009 1:04:56 PM Session finished 9/17/2009 1:14:05 PM Total search duration 0 minutes 23 seconds Session duration 9 minutes 9 seconds Defaut NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 77761757



PTO Form 1478 (Rev 9/2006)

OMB No. 0651-0009 (Exp 12/31/2011)

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 77761757 Filing Date: 06/17/2009

NOTE: Data fields with the * are mandatory under TEAS Plus. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.

The table below presents the data as entered.

Input Field	Entered		
TEAS Plus	YES		
MARK INFORMATION			
*MARK	BRUXZIR		
*STANDARD CHARACTERS	YES		
USPTO-GENERATED IMAGE	YES		
LITERAL ELEMENT	BRUXZIR		
*MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.		
REGISTER	Principal		
APPLICANT INFORMATION			
*OWNER OF MARK	James R. Glidewell, Dental Ceramic, Inc.		
DBA/AKA/TA/FORMERLY	DBA Glidewell Laboratories		
INTERNAL ADDRESS	Professional Services		
*STREET	4141 MacArthur Blvd.		
*CITY	Newport Beach		
*STATE (Required for U.S. applicants)	California		
*COUNTRY	United States		
*ZIP/POSTAL CODE (Required for U.S. applicants only)	92660		

INTERNAL ADDRESS	Professional Services
FIRM NAME	Keith D. Allred, General Counsel
NAME	Keith D. Allred, Esq.
ATTORNEY INFORMATION	
*CONCURRENT USE CLAIM (if applicable)	
*CONSENT (NAME/LIKENESS) (if applicable)	
*CLAIMED PRIOR REGISTRATION (if applicable)	
*TRANSLITERATION (if applicable)	
*TRANSLATION (if applicable)	
ADDITIONAL STATEMENTS INFORM	ATION
SPECIMEN DESCRIPTION	Dental devices in the nature of full contour zirconia crowns, a label, and a plastic box that is used to deliver said devices, with said label affixed to the lid of said box.
SPECIMEN FILE NAME(S)	\\\TICRS\EXPORT7\IMAGEOUT7 \\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\
FIRST USE IN COMMERCE DATE	At least as early as 06/06/2009
FIRST USE ANYWHERE DATE	At least as early as 06/06/2009
*FILING BASIS	SECTION 1(a)
IDENTIFICATION	Dental bridges; Dental caps; Dental crowns; Dental inlays; Dental onlays; Dental prostheses
*INTERNATIONAL CLASS	010
GOODS AND/OR SERVICES AND BASI	S INFORMATION
* STATE/COUNTRY OF INCORPORATION	California
*TYPE	CORPORATION
LEGAL ENTITY INFORMATION	·
EMAIL ADDRESS	kallred@glidewelldental.com
FAX	949-440-2787
PHONE	949-440-2683

STREET	4141 MacArthur Blvd.	
CITY	Newport Beach	
STATE	California	
COUNTRY	United States	
ZIP/POSTAL CODE	92660	
PHONE	949-440-2683	
FAX	949-440-2787	
EMAIL ADDRESS	kallred@glidewelldental.com	
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes	
CORRESPONDENCE INFORMATION		
*NAME	Keith D. Allred, Esq.	
FIRM NAME	Keith D. Allred, General Counsel	
INTERNAL ADDRESS	Professional Services	
*STREET	4141 MacArthur Blvd.	
*CITY	Newport Beach	
*STATE (Required for U.S. applicants)	California	
*COUNTRY	United States	
*ZIP/POSTAL CODE	92660	
PHONE	949-440-2683	
FAX	949-440-2787	
*EMAIL ADDRESS	kallred@glidewelldental.com	
*AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes	
FEE INFORMATION		
NUMBER OF CLASSES	1	
FEE PER CLASS	275	
*TOTAL FEE PAID	275	
SIGNATURE INFORMATION		
* SIGNATURE	/K. D. Allred/	
* SIGNATORY'S NAME	Keith D. Allred	
* SIGNATORY'S POSITION	General Counsel	

* DATE SIGNED	06/17/2009

PTO Form 1478 (Rev 9/2006)

OMB No. 0651-0009 (Exp 12/31/2011)

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 77761757 Filing Date: 06/17/2009

To the Commissioner for Trademarks:

MARK: BRUXZIR (Standard Characters, see <u>mark</u>)
The literal element of the mark consists of BRUXZIR.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, James R. Glidewell, Dental Ceramic, Inc., DBA Glidewell Laboratories, a corporation of California, having an address of

Professional Services, 4141 MacArthur Blvd. Newport Beach, California 92660

United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

For specific filing basis information for each item, you must view the display within the Input Table.

International Class 010: Dental bridges; Dental caps; Dental crowns; Dental inlays; Dental onlays;

Dental prostheses

Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, or the applicant's predecessor in interest used the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended.

In International Class 010, the mark was first used at least as early as 06/06/2009, and first used in commerce at least as early as 06/06/2009, and is now in use in such commerce. The applicant is submitting one specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) Dental devices in the nature of full contour zirconia crowns, a label, and a plastic box that is used to deliver said devices, with said label affixed to the lid of said box..

Specimen File1

The applicant's current Attorney Information: Keith D. Allred, Esq. of Keith D. Allred, General Counsel Professional Services

Case 8:11-cv-01309-DOC-AN Document 94-2 Filed 11/19/12 Page 21 of 24 Page ID #:4038

4141 MacArthur Blvd. Newport Beach, California 92660 United States

The applicant's current Correspondence Information:

Keith D. Allred, Esq.
Keith D. Allred, General Counsel
Professional Services
4141 MacArthur Blvd.
Newport Beach, California 92660
949-440-2683(phone)
949-440-2787(fax)
kallred@glidewelldental.com (authorized)

A fee payment in the amount of \$275 has been submitted with the application, representing payment for 1 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /K. D. Allred/ Date Signed: 06/17/2009

Signatory's Name: Keith D. Allred Signatory's Position: General Counsel

RAM Sale Number: 8133

RAM Accounting Date: 06/17/2009

Serial Number: 77761757

Internet Transmission Date: Wed Jun 17 12:49:05 EDT 2009 TEAS Stamp: USPTO/FTK-76.230.103.132-200906171249051

51810-77761757-400864543d31a13a3476be917 6734297eea-CC-8133-20090617120139466448

